
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA

versus

CARLTON RAY MASON

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CASE NO. 1:06-CR-80

ORDER

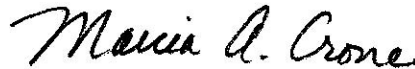
The Court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, for consideration of the Defendant's competency to stand trial. The Court previously ordered that the defendant undergo a mental examination to determine his competency to stand trial pursuant to 18 U.S.C. § 4241. After conducting a hearing to address the examiner's findings, Judge Giblin filed his Report and Recommendation on Defendant's Competency to Stand Trial (#30). Judge Giblin concluded that Mr. Mason is currently incompetent to stand trial under 18 U.S.C. § 4241.

The parties have not objected to the magistrate judge's findings and recommendation. The Court concludes that the Report and Recommendation on Defendant's Competency to Stand Trial should be accepted. The Court **ORDERS** that the Report and Recommendation on Defendant's Competency to Stand Trial of the United States Magistrate Judge is **ADOPTED**.

Therefore, based upon the examiner's findings and the findings and recommendation reflected in Judge Giblin's report, the Court **FINDS** by a preponderance of the evidence that Defendant, Carlton Ray Mason, is currently not competent to stand trial pursuant to Title 18, United States Code, Section 4241. The Court **ORDERS** that Carlton Ray Mason be committed to the custody of the Attorney General. Upon commitment, the Attorney General is directed to hospitalize the Defendant for treatment in a suitable facility for a reasonable period of time, not

to exceed four months, as is necessary to determine whether there is a substantial probability that in the foreseeable future he will attain the capacity to permit the trial to proceed. *See* 18 U.S.C. § 4241(d). On or before the end of this four-month period, the Attorney General or his designee is directed to file a report on the current mental state of Defendant with the Court and counsel. At that time, the Court directs that United States Magistrate Judge Keith F. Giblin revisit the issue of Mr. Mason's competency to stand trial pursuant to 18 U.S.C. § 4241(d).

SIGNED at Beaumont, Texas, this 9th day of November, 2006.

A handwritten signature in black ink, reading "Marcia A. Crone". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE